

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

UNITED STATES OF AMERICA)
)
 v.) 1:11-cr-00185-JAW
)
JAMES STILE)

ORDER ON PRO SE MOTION TO ISSUE SUBPOENAS

On May 5, 2013, James Stile filed a pro se motion, asking the Court to issue testimonial subpoenas requiring the presence of all law enforcement officers who participated in the execution of the search warrant of the premises at 20 Main Street, Sangerville, Maine on September 22, 2011. *Def.'s Mot. to Issue Subpoenas* (ECF No. 215). On October 17, 2013, the Government objected. *Gov't's Resp. to Def.'s Mot. to Issue Subpoenas* (ECF No. 255). On November 15, 2013, Mr. Stile replied. *Reply to Gov't's Opp'n to Def.'s Mot. to Issue Subpoenas* (ECF No. 284).

Mr. Stile's motion to issue subpoenas is premised on the assumption that he will be allowed to proceed with the *Franks*¹ hearing that is the subject of his separate motion for a *Franks* hearing and his motions to suppress.² *See Def.'s Notice of Mot. for Franks Hr'g* (ECF No. 212); *Def.'s Mot. to Suppress*; *Def.'s Supporting Aff. for Mot. to Suppress* at 7 (ECF No. 209); *Def.'s Reply to Gov't's Opp'n. to Def.'s Mot. to Suppress* at 2 (ECF No. 275). However, the Court has

¹ *Franks v. Delaware*, 438 U.S. 154 (1978).

² In his motion, Mr. Stile specifically requests that the subpoenas include "any K-9 officers and the credential of their dogs, i.e. certification records and a one year running history of 'incident reports' of all deployments of the canines." *Def.'s Reply* at 1. The Court is unaware of any pending motion that specifically addresses the police dogs and their role in the law enforcement searches in this case.

declined to grant his motions for a *Franks* hearing on the September 22, 2011 search. *Order on Pro Se Mot. for Franks Hr'g* (ECF No 321); *Order on Second and Fourth Pro Se Mots. to Suppress* at 6 (ECF No. 295).

Therefore, the Court DENIES James Stile's Motion to Issue Subpoenas (ECF No. 215).

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
CHIEF UNITED STATES DISTRICT JUDGE

Dated this 9th day of December, 2013